IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.3460 OF 2004

Alpana Co-operative Housing Society Ltd. : Petitioner

V/s.

The State of Maharashtra & Ors. : Respondents

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Mr.A.G.Damak for the petitioner.

Mr.A.H.Palekar, Asstt. Govt. Pleader, for the respondent nos.1 to 3.

Mr.R.D.Dave for the respondent no.4.

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**CORAM : S.A. BOBDE, J.**

July 6, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Palekar, learned Asstt. Govt. Pleader, for the respondent nos.1 to 3 and Mr.Dave, learned counsel, for respondent no.4, appear and waive service of rule.

Head by consent.

2. Having heard the matter for sometime, the following order is passed by consent:-

The impugned order in revision dated 24.3.2004 and

the order dated 15.5.2003 passed by the Deputy Registrar, Co-operative Societies, 'D' Ward, Mumbai, are hereby set aside. The Deputy Registrar, Co-operative Societies, shall decide the matter after giving an opportunity of hearing to the petitioner-society on its own merits. The Deputy Registrar is directed to decide the matter not later than three months from the date the parties appear before him. The parties are directed to appear before him on 18.7.2005.

3. The rule is made absolute in the aforesaid terms.

Sd/-

S.A. BOBDE, J.